



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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Ref: 8EPR-N

Ms. Tamara Gertsch, National Project Manager
Bureau of Land Management
Wyoming State Office
P.O. Box 21550
5353 Yellowstone Road
Cheyenne, WY 82003

Re: Energy Gateway South Transmission Project
Draft Environmental Impact Statement
CEQ # 20140045

Dear Ms. Gertsch:

The U.S. Environmental Protection Agency Region 8 has reviewed the U.S. Bureau of Land Management's (BLM) Draft Environmental Impact Statement (EIS) for the Energy Gateway South Transmission Project (Gateway South) in Wyoming, Utah and Colorado. Our comments are provided for your consideration pursuant to our responsibilities and authority under Section 102(2)(C) of the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act. It is the EPA's responsibility to provide an independent review and evaluation of the potential environmental impacts of this project, which includes a rating of the environmental impact of the proposed action and the adequacy of the NEPA document.

Based on the EPA's procedures for evaluating potential environmental impacts on proposed actions and the adequacy of the information present, the EPA is rating the Agency Preferred Alternative an "EC-2" (Environmental Concerns – Insufficient Information). This letter documents the EPA's concerns and recommendations for the Final EIS. A full description of the EPA's rating system can be found at www.epa.gov/compliance/nepa/comments/ratings.html#adequacy.

Project Description

Rocky Mountain Power has requested a right-of-way (ROW) authorization to construct, operate and maintain a 500-kilovolt (kV) single circuit, alternating current transmission line that would extend approximately 400 to 540 miles, depending on the route selected, from south-central Wyoming to central Utah, potentially crossing northwestern Colorado. Project components are: (1) the transmission line; (2) two series compensation stations at two separate points between the Aeolus and Clover substations; (3) communication regeneration stations every 55 miles; (4) the rebuilding of two existing 345-kV transmission lines between the Clover and Mona substations in existing ROW; (5) the rerouting

of the Mona to Huntington 345-kV transmission line through the Clover substation; and (6) permanent and temporary access roads. The Project would transmit about 1,500 megawatts of electricity generated from existing new renewable (e.g., wind and solar) and thermal (e.g., gas, coal) generation sources to meet growing customer needs, ease transmission congestion and improve the flow of electricity throughout the West.

The proposed transmission line crosses federal land—most of which is administered and managed by the BLM. Potential routes for the transmission line identified to date also will cross state, tribal and private lands. Twenty-nine federal and state agencies and local governments are cooperating agencies.

Environmental Concerns

The EPA provided scoping comments in a letter dated June 28, 2011. We are pleased that the BLM has responded to many of our environmental protection recommendations by committing to include implementation plans for stormwater pollution prevention; spill prevention, containment and countermeasures; erosion, dust control, and air quality mitigations; hazardous materials management; and noxious weed management in the project Plan of Development (POD). We commend the BLM for requiring that the POD be developed before the signing of the Record of Decision (ROD) and incorporated by reference in the ROD, and for committing to apply the POD consistently to not only federal lands, but to state and private lands unless the state or private landowner objects and provides documentation of their decision to the compliance inspection contractor. The EPA would like to see the Final EIS address the following environmental concerns:

Water Resources

The EPA recommends that the Section 3.2.3.1.1 Regulatory Framework discussion include information on the Clean Water Act (CWA) Section 311 – Oil and Hazardous Substances Liability if fuels will be stored at any project site. The regulations in this part apply to the discharge of oil, which is prohibited by Section 311(b)(3) of the CWA. Prohibited discharges include certain discharges into or upon the navigable waters of the United States.

The Ute tribal government has the ability to set controls on tribal lands and waters. The EPA recommends that the Final EIS address tribal ordinances and tribal council rules and conditions set within the contract for crossing tribal lands.

The descriptions of the water resources in Section 3.2.4.3.2 do not give any indication where these waters are in relationship to the project, nor do the descriptions give any indications of the potential for adverse impacts. For example, the lists of waters are not related to the siting of towers or crossings, and thus, do not provide the reader with a clear understanding of the potential size (e.g., acres of wetlands) of the impacted resource. The EPA recommends that maps at a readable scale showing the water resources impacted by the alternatives be included in the Final EIS.

Table 3-38 lists impaired water bodies, but designated uses are not described. This is important because there is the potential, for example, that additional sedimentation could impact drinking water resources. The EPA recommends adding the designated use of the listed water bodies to this table and indicating whether these uses will be adversely affected by the project.

Section 3.2.4.4.2 describes using “USACE and EPA-approved methods and standards” to identify “particular sensitivity, abundance and value of inventoried water resources.” Please provide detailed information and references about these agency approved methods.

Section 4.3.4 states that the cumulative effects analysis of linear features, such as perennial streams, were buffered by 100 feet to create a conservative polygon 200 feet-wide, but that “no buffer was applied to polygon features including perennial lakes, reservoirs, ponds...” and presumptively, some of the wetlands. This lack of buffers reduces the effectiveness of the analysis because these types of aquatic resources are significantly impacted by the upland landscape. The EPA recommends that the landscape settings for all aquatic resources and buffers be discussed and actual impacts disclosed in enough detail to provide the reader a clear picture of the watershed impacts.

Air Quality

The air quality impact assessment used EPA’s screening-level dispersion model, AERSCREEN, to determine predicted concentrations of various criteria pollutants for comparison to the national ambient air quality standards (NAAQS) (Chapter 3, page 3-36). We appreciate the time and resources allocated to perform the AERSCREEN modeling for this project. Based on the AERSCREEN results presented in Appendix D (pages D-24 to D-27), the predicted NO₂ concentrations for the modeled scenarios were 7 to 27 times larger than the NAAQS. Please explain the inputs used in the screening to determine if additional analysis is needed. For example, if the exceedances are likely to occur, identify the location of the exceedances and potential mitigation measures. In addition, the EPA recommends that the Final EIS present the modeling results in Chapter 3 instead of in the Appendix.

Mitigation and Monitoring

Because environmental protection mitigation is discussed in so many different places in the document, it is confusing. The EPA suggests that all of the mitigation—design features (Table 2-8); selective mitigation measures (Table 2-13); and agency restrictions, standards and stipulations—be summarized, and organized by resource in an Appendix so that the decision maker and the public can gain a clear understanding of the potential environmental impacts associated with this project.

We are pleased that, like the Gateway West and the TransWest Express transmission line projects, a third party independent monitor, the compliance inspection contractor, will be hired to ensure compliance with mitigation commitments. The EPA recommends that the BLM provide additional discussion about the monitor in Chapter 2 of the Final EIS.

Thank you for the opportunity to provide comments on the Gateway South Draft EIS. If you have any questions or would like to discuss our comments, please contact me at 303-312-6704 or the lead reviewer of this project, Carol Anderson, at 303-312-6058.

Sincerely,



for

Philip S. Strobel
Acting Director, NEPA Compliance and Review Program
Office of Ecosystems Protection and Remediation

